

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S)

Yanagita

TITLE

UTERINE CONTRACTION INHIBITORS

APPLICATION NO.

10/030,298

FILED

December 21, 2001

CONFIRMATION NO.

9018

EXAMINER

Anish Gupta

ART UNIT

1654

ALLOWED

June 12, 2006

ATTORNEY DOCKET NO.

YAMZ 2 00014

RESPONSE TO STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Mail Stop Issue Fee

Dear Sir:

Applicant gratefully acknowledges the indication as to the allowance of the present application.

However, applicant respectfully submits the Statements of Reasons for Allowance are, in and of themselves, inappropriate. It is noted that the reasons for allowance may be set forth in instances in which "... the Examiner believes that the record of the prosecution as a whole does not make clear his or her reasons for allowing a claim or claims." (37 CFR §1.104(e)(2004)). In the present case, applicant believes the record as a whole does make the reasons for allowance clear and, therefore, no statement by the Examiner is necessary or warranted. Furthermore, the applicant does not necessarily agree with each statement in the reasons for allowance.

Specifically, it has been indicated that the claims are allowed by importing interpretations into the claims in relation to the prior art that results in a potential imprecise and/or inaccurate understanding of the reasons. This places an unwarranted interpretation upon the claims. Such a characterization of the claims does not properly take into account applicant's claimed invention as reflected in the specification and the applicant's responses to the Examiner's office actions.

Therefore, while applicant believes the claims are allowable, applicant does not acquiesce that patentability resides in only the features, exactly as expressed in the claims, nor that each feature is required for patentability.

Respectfully submitted,

FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP

September 12, 2006

Date

Richard M. Klein Reg. No. 33,000 1100 Superior Avenue, 7th Floor Cleveland, Ohio 44114-2579 (216) 861-5582

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deposited with the United State: Commissioner for Patents, P.O. E	and any item referred to herein as being attached or enclosed) is (are) being so Postal Service as First Class Mail, addressed to: Mail Stop Issue Fee, Box 1450, Alexandria, VA 22313-1450 on the date indicated below. simile in accordance with 37 CFR 1.18 on the date indicated below.			
	Signature: Lyndal Kalemba			
Date: September 12, 2006	Name: Lynda S. Kalemba			



Fay Sharpe Fagan Minnich & McKee, LLP 1100 Superior Avenue, Seventh Floor Cleveland, Ohio 44114-2579 216.861.5582 www.FaySharpe.com

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Date:	September 12, 2006	Total Pages:	5 (including cover sheet
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From:	Richard M. Klein		
Re:	Serial No. 10/030,298 (Our Reference: YAMZ 2 00014)		

Please call us immediately at 216.861.5582 or 888.861.5582 if this transmission is incomplete or illegible.

COMMENTS

Attachments:

- 1. Issue Fee Transmittal
- 2. Form PTO-2038
- 3. Response to Statement of Reasons for Allowance

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